



DUEY STROEBEL

STATE SENATOR • 20TH DISTRICT

Testimony on SB 503

October 14, 2021

Good morning everyone. Thank you for being here for today's public hearing on SB 503. This bill is a continuation of the work the legislature did in previous sessions to protect taxpayer dollars by ensuring that state and federal family planning funds are not given to abortion providers. The last remaining source of taxpayer money flowing to Wisconsin's largest abortion provider is the Medical Assistance program. Under this proposal, Medical Assistance funds would no longer be used to subsidize abortion providers, firmly and completely ensuring that taxpayer funds are not associated with the intentional destruction of human life.

The Medical Assistance program, better known as Medicaid or BadgerCare, reimburses qualified healthcare providers for care given to individuals participating in the program. BadgerCare is jointly funded by the state and federal government. Federal law generally prohibits these funds from covering abortion procedures. However, abortion providers have in the past been considered qualified healthcare providers and reimbursed for health care services as long as those services were not the actual abortion itself.

According to data from the Department of Health Services, between July 2011 and July 2018, Planned Parenthood of Wisconsin's status as a qualified provider for the BadgerCare program allowed them to receive over \$94 million in taxpayer money.¹ This hefty sum dwarfs the amount of money they once received through such programs as Title V and Title X.

SB 503 would end this subsidy for abortion providers by requiring DHS to decertify any abortion provider that is currently a qualified provider under the Medical Assistance program. Further, any future entity or affiliate of an entity that provides abortions would be prohibited from receiving qualified provider status.

Because modifying qualified provider status will require the state to submit a waiver to the federal government, SB 503 contains legislative pre-approval of such a waiver.

In closing, let me emphasize that this legislation is an important statement about who we are as a state, what we value and what we prioritize. State taxpayers should not subsidize abortion providers, facilitating their ability to terminate unborn human life. Standing in support of the right to life for all Wisconsinites is always the correct thing to do. Thank you for your time.

¹ See also the U.S. Government Accountability Office's triennial report on this topic for annual, state-level figures: <https://www.gao.gov/products/gao-21-188r>



BARBARA DITTRICH

STATE REPRESENTATIVE • 38th ASSEMBLY DISTRICT

October 14, 2021

Senate Committee on Government Operations, Legal Review and Consumer Protection

RE: Rep. Dittrich Testimony on SB 503 - certification of abortion providers under the Medical Assistance program.

Good Morning Committee Vice-Chair Felzkowski and members of the committee. I appreciate the opportunity to speak to you today on this incredibly important topic, providing actual health care for women under Wisconsin's Medical Assistance Program, including to the lives of pre-born women. Currently, our Wisconsin BadgerCare dollars are flowing to organizations like Planned Parenthood, which neither consistently provide mammograms or other actual health care to Wisconsin women.

A reoccurring statement the committee will hear from me today as I testify on this bill and two other pieces of legislation will be the importance of doing the right thing, even when the right thing is met with strong opposition. Candidly, this specific bill along with several others, were vetoed by Governor Evers last session. However, the fight for life is just as worthy this session as it was last session. I, along with my colleagues, will continue to take up this issue to ensure that women have a wide array of healthcare options that are not exclusively dedicated to taking the life of a child.

SB 503 is essential to cutting off the flow of taxpayer funds to entities such as Planned Parenthood, a not-for-profit entity. While previous pro-life reforms have redirected state and federal family planning dollars away from Planned Parenthood, they still receive BadgerCare reimbursements for non-abortion services, essentially making these fungible dollars available for abortion services.

This bill would utilize a 2-step process. The first step is directing DHS to cease the designation of a qualified provider under the Medical Assistance program, also known as BadgerCare, any entity or affiliate of an entity that provides abortion services. The second step is obtaining a waiver from the federal government to modify the existing Medicaid (BadgerCare) program. The second step takes advantage of the current administration's decision to allow states greater flexibility in determining which healthcare providers are "qualified providers" for Medicaid.

It's important to note that hospitals that comply with current statutory provision would not be denied certification. Several waivers are already pending with the federal government.

These steps are not unprecedented as South Carolina, Tennessee, Texas, Missouri, and Iowa are also pursuing similar plans to deny Planned Parenthood Medicaid reimbursement dollars.



BARBARA DITTRICH

STATE REPRESENTATIVE • 38th ASSEMBLY DISTRICT

The funds denied to Planned Parenthood under this proposal would still be available for women's healthcare at other healthcare providers. This does not shrink the amount of money in BadgerCare! A cursory look from my own office discovered that there are now 12 Federally Qualified Health Clinics (FQHC's) in Wisconsin for every Planned Parenthood facility. That is 24 Planned Parenthood Facilities to 197 delivery sites for FQHC's in our state. Most of the Planned Parenthood Clinics are located in urban centers whereas Wisconsin's FQHC's are distributed throughout the state. It is absolutely a false narrative that we need tax dollars to fund Planned Parenthood in order to assure women's health throughout Wisconsin. According to the Susan B. Anthony List, Planned Parenthood's own annual report reveals that 95% of women leave their clinics without their babies, so their main function is clear. As a woman, I can resoundingly affirm that women need far more comprehensive health care, and these abortion clinics fail to meet those needs.

In an era where we have availed ourselves of incredible technology like 3D ultrasounds and sonograms to see the faces of our unborn children, humanity has evolved enough to understand that the elimination of these unborn children is simply inhumane. Taxpayers are clear, while abortion is legal, it should not be paid for with taxpayer dollars. Decertifying these clinics will assure those funds will be allocated to where they accomplish the most good for women. I ask for your support in this legislation and welcome your questions.



WISCONSIN FAMILY ACTION
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TESTIMONY ON SENATE BILL 503
SENATE COMMITTEE ON GOVERNMENT OPERATIONS,
LEGAL REVIEW & CONSUMER PROTECTION
THURSDAY, OCTOBER 14, 2021
JULAIN K. APPLING, PRESIDENT

Thank you, Chairman Strobel and committee members, for holding this hearing on Senate Bill 503. Wisconsin Family Action supports this bill with a significant concern.

Wisconsin Family Action has a long and solid history of supporting efforts to stop public funding of abortion providers, and we are grateful you, Senator Stroebel, continue working to find ways to accomplish that. As a matter of long-standing principle, we have always preferred that bills dealing with abortion not include exceptions and have encouraged authors to draft bills accordingly.

However, upon occasion we have ended up supporting a bill with exceptions, while making it clear that we object to the exceptions. Such is the case with this bill. Senate Bill 503's highly laudable intent is to ultimately prevent Medicaid/Medical Assistance funding from going to entities that provide abortions or that are an affiliate of an entity that provides abortion.

Unfortunately, the bill provides a significant carve-out for hospitals that perform abortions in certain situations: the termination is directly and medically necessary to save the life of the woman; the pregnancy is the result of sexual assault or incest, which has been reported to law enforcement; or the termination is, due to a medical condition existing prior to the abortion, directly and medically necessary to prevent grave, long-lasting physical health damage to the woman.

While hospitals are exempted for these exceptions, we don't believe the situation that resulted in a pregnancy, as horrific as assault and incest are, diminishes the inherent value of the life of the unborn child. Further, on the medical situations enumerated in the bill, we firmly believe that we no longer have "either/or" when it comes to saving the life of the mother or the life of the unborn baby. Medical experts repeatedly tell us it is now "both/and"—saving both the mother and the unborn child. If the child dies as a result of efforts to save the mother, while terribly sad and regrettable, that is a far different situation from intentionally killing the unborn baby to try to save the mother.

While we realize hospitals pose some unusual challenges, we believe this bill could and should be amended to include hospitals in its decertifying requirement. While we support the bill in general concept, we cannot give a wholesale endorsement of it with this express exemption for hospitals. Should the authors agree to such an amendment of this bill, we would be more than happy to give full and unequivocal support. To that end, we support Amendment 1 to the Assembly version of the bill, Assembly Bill 493.

Thank you for your thoughtful and careful attention to our position on this bill.



Gracie Skogman, Legislative Director, Wisconsin Right to Life
Senate Committee on Government Operations, Legal Review and Consumer Protection
SB 503, re certification of abortion providers under the Medical Assistance program.
Thursday, October 14, 2021

Thank you, Chairman Stroebel, for your time this morning and allowing me to testify in favor of Senate Bill 503. My name is Gracie Skogman and I am the Legislative Director of Wisconsin Right to Life.

Currently, Wisconsin BadgerCare dollars flow to organizations like Planned Parenthood, which prioritizes abortion over holistic women's health care services. While previous reforms have redirected state and federal family planning dollars away from Planned Parenthood, they still receive BadgerCare reimbursements for non-abortion services, essentially making these fungible dollars available for abortion services.

Senate Bill 503 would ensure that this flow of taxpayers' dollars to entities such as Planned Parenthood is cut off.

The funds denied to Planned Parenthood under this proposal would still be available for women's healthcare at other providers. According to the Charlotte Lozier Institute, there are more than 180 Federally Qualified Health Clinics in Wisconsin, compared to 24 Planned Parenthoods, and FQHCs are most widely distributed throughout the state.

Planned Parenthood's taxpayer funding has increased by nearly 27% since 2010 (according to its own report) and abortions made up 96.4% of Planned Parenthood's pregnancy resolution services, while prenatal services, miscarriage care, and adoption referrals accounted for only 2.3%, .6%, and .7% respectively.

Cancer screenings and prevention services have dropped by 63% since 2010 and prenatal services are down 79%. Planned Parenthood and other abortion providers are steering resources away from women's health and toward abortion.

Women need far more comprehensive health care and support than the services Planned Parenthood, and other abortion clinics provide. Decertifying these clinics will ensure that those funds are instead allocated to FQHCs and clinics where they can truly serve women and offer comprehensive and holistic healthcare.

Wisconsin Right to Life strongly supports Senate Bill 503, and thanks Senator Stroebel and Representative Dittrich for bringing it forward.



ProLife
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Testimony in Opposition to Senate Bill 503: decertifying abortion providers in the Medical Assistance program

**Senate Committee on Government Operations, Legal Review and Consumer Protection
By Matt Sande, Director of Legislation**

October 14, 2021

Good morning, Chairman Stroebel and Committee members. My name is Matt Sande and I serve as director of legislation for Pro-Life Wisconsin. Thank you for this opportunity to express our opposition to Senate Bill (SB) 503 as currently written, legislation that would remove abortion providers, including Planned Parenthood of Wisconsin, from the state Medical Assistance (MA) program.

Specifically, SB 503 prohibits the Department of Health Services (DHS) from certifying as a provider under the MA program any private entity that provides abortion services or is an affiliate of an entity that provides abortion services. The bill further directs DHS to decertify by July 1, 2022, any private entity, as a provider under the MA program, that provides abortion services or is an affiliate of an entity that provides abortion services. **Regrettably, the bill exempts from both requirements any hospital that provides abortions in the exceptional cases of sexual assault, incest, life and health of the mother, as referenced in our current law abortion funding prohibition s. 20.927(2).**

During the Walker Administration, the state of Wisconsin consistently and substantially defunded abortion providers of taxpayer dollars, including Title V and Title X family planning monies. Title XIX (Medical Assistance/Medicaid) is the last and largest public funding stream propping up Planned Parenthood of Wisconsin, our state's largest abortion provider. Pro-Life Wisconsin has championed these efforts, and we thank Senator Stroebel for working to remove Medicaid funding from abortion providers.

However, Pro-Life Wisconsin strongly opposes the explicit exemption for hospitals in SB 503. We want to fully remove our Medicaid tax dollars from *all* abortion providers, not just some. It matters little to the preborn baby where he or she is intentionally being killed, whether at an outpatient abortion facility or an inpatient hospital. It matters little to the preborn baby under what circumstances or for what reasons he or she is being intentionally killed, whether for convenience or for a sexual assault.

If the goal of this legislation is to extract our tax dollars from the grisly abortion business, then it should do so without exception. It is morally inconsistent to outlaw public funding of one type of abortion provider, but specifically allow it for another. It is a denial of equal protection to defund the killing of most preborn babies, but specifically fund it for some. Accordingly, **we encourage the Committee to amend out the hospital exemption in SB 503 so that we can support**

(OVER)

this otherwise excellent legislation. Specifically, we urge adoption of the language in Assembly Amendment (AA) 1 to AB 493, the Assembly companion bill. AA 1 to AB 493 removes the hospital exemption from the bill.

Planned Parenthood of Wisconsin (PPWI) receives MA funding through BadgerCare Plus and the Family Planning Only Services Program. DHS reports that from July 1, 2010, through December 31, 2017, PPWI received \$94.7 million in BadgerCare MA reimbursements. DHS also reports, through numerous audits over the past 10 years, consistent overbilling of the MA program by multiple PPWI clinics.

Abortion - the direct, intentional killing of a preborn child - is not health care. And in poll after poll, Americans overwhelmingly say they oppose taxpayer-funded abortion. A Knights of Columbus/Marist Poll released on January 27, 2021, showed 77% of respondents opposing the use of tax dollars to pay for abortions overseas and 58% opposing the use of tax dollars to fund abortions in the United States.

Decertifying abortion providers in the MA program respects the consciences of Wisconsin taxpayers who oppose the use of public funds to subsidize abortion directly or indirectly. All money is fungible. Family planning funds undeniably free up resources within receiving organizations, like Planned Parenthood, to engage in the surgical/medical abortion business. Government must not force us to participate in the killing of our preborn brothers and sisters with our federal and state tax dollars.

Thank you for your consideration, and I would be happy to answer any questions committee members may have for me.



State of Wisconsin
2021 - 2022 LEGISLATURE

LRBa0842/1
TJD:amn

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY BILL 493**

October 6, 2021 - Offered by Representative WICHGERS.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 6: delete lines 6 to 8 and substitute:

3 "49.45 (2) (c) 1. In this paragraph, "abortion" has the meaning given in s. 253.10

4 (2) (a)."

5 **2.** Page 2, line 12: delete lines 12 and 13.

6 **3.** Page 2, line 16: delete lines 16 to 18 and substitute:

7 "(a) In this subsection, "abortion" has the meaning given in s. 253.10 (2) (a)."

8 **4.** Page 2, line 19: delete that line.

9 **5.** Page 3, line 1: delete "1." and substitute "(b)".

10 **6.** Page 3, line 4: delete lines 4 and 5.

11 (END)



WISCONSIN CATHOLIC CONFERENCE

TO: Members, Senate Committee on Government Operations, Legal Review and Consumer Protection

FROM: Barbara Sella, Associate Director for Respect Life and Social Concerns

DATE: October 14, 2021

RE: SB 503 Medicaid Abortions

The Wisconsin Catholic Conference (WCC), the public policy voice of the Catholic bishops of Wisconsin, urges you to support Senate Bill 503, which prohibits the Wisconsin Department of Health Services (DHS) from certifying a private abortion services provider or affiliate under the Medical Assistance program.

Senate Bill 503 includes exemptions to save the life of the mother, to prevent grave, long-lasting damage to her health due to a prior medical condition, or when the pregnancy is the result of rape or incest. A similar bill, Senate Bill 504, does not include these exemptions. While the lives of those conceived in rape or incest are as valuable as any other, our position has always been that incremental change is better than no change.

Both bills have a clear and straightforward objective – to affirm that funds held by public authorities are prohibited from being used to subsidize the performance of abortions. Since 1919, the bishops of the United States have been vocal advocates of the idea that all Americans should enjoy access to affordable health care, especially those who are vulnerable or of limited means. As the U.S. bishops stated in 1993, “Health care is more than a commodity; it is a basic human right, an essential safeguard of human life and dignity.” We affirm that Wisconsin must continue to seek improved access to comprehensive health care services for those in need, especially women.

However, abortion and those entities that facilitate abortion do not reflect the respect for human dignity that should be at the core of all health care institutions. By reserving Medicaid funding for those providers that do not perform abortions, both bills ensure that women’s health care is devoted to prevention, diagnosis, and care, not to termination of life.

We support both SB 503 and SB 504, but for the purposes of this hearing, we urge you to advance SB 503.